UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/48/705
S/26830
1 December 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 114 (a)
HUMAN RIGHTS QUESTIONS: IMPLEMENTATION
OF HUMAN RIGHTS INSTRUMENTS

SECURITY COUNCIL
Forty-eighth year

Letter dated 30 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the report on the problems and difficulties in the implementation of the Convention on the Rights of the Child, which the Government of the Federal Republic of Yugoslavia has already submitted to the Committee on the Rights of the Child (see annex).

The report points to the extremely grave situation of children in the Federal Republic of Yugoslavia caused by the sanctions, which have adverse effects on the implementation of the Convention. The Government of the Federal Republic of Yugoslavia expresses its hope that the Committee, upon a comprehensive review of the situation in the area of the protection of the rights of children, will make appropriate recommendations with regard to the lifting of unjust sanctions imposed against the Federal Republic of Yugoslavia.

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under agenda item 114 (a), and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

ANNEX

R E P O R T

ON THE PROBLEMS AND DIFFICULTIES IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

1. Children of all nations and races are the future of mankind, token of love, patience and hope, but also quite often the most vulnerable category and most often victims of conflicts and wars waged by their elders.

2. According to the 1991 population census, the Federal Republic of Yugoslavia has a population of 10.5 million, 3.2 million of which are children aged under 18 meaning that 40.4% of the population of the FR of Yugoslavia are children and young people under 24*. The FR of Yugoslavia has further provided shelter to a large number of refugees coming from the war-torn former Yugoslav republics. According to the latest available figures, there are currently 548,310 registered refugees, 495,000 of which in the Republic of Serbia (5% of its total population) and 53,310 in Montenegro (8.5% of the total population of that republic). 230,000 refugee children under 18 live in the FR of Yugoslavia and over 10,000 babies have been born to refugees in the FR of Yugoslavia so far.

3. Unconstitutional separation, secession by a number of the republics which had been part of the former Yugoslavia, followed by the effects of the war in its neighborhood, along with UN Security Council sanctions contained in resolutions 757, 787 and 820, have rapidly and dramatically worsened the social and economic situation in FR of Yugoslavia.

All forms of international trade, scientific-technical and cultural co-operation have been broken off. Sanctions objectively mean a total international isolation of the FR of Yugoslavia.

From 1990 to 1993, the FR of Yugoslavia registered the cumulative loss of some US$ 25 billion in its social product (GNP) relative to 1989.

---

* The 1991 census was conducted in the territory of the former Socialist Federal Republic of Yugoslavia. The presented data refer to the Republics of Serbia and Montenegro, which by the promulgation of the Constitution on 27 April 1992, became constituent units of the Federal Republic of Yugoslavia.

Also, all other comparative data presented in this report pertaining to the period before 27 April 1992, are joint data for the Republics of Serbia and Montenegro which were at the time within the Socialist Federal Republic of Yugoslavia.

Unemployment is rising at an alarming rate. In addition to 760,000 unemployed persons, there are 700,000 persons (out of a total of 2.3 million) at forced leaves and many of those are faced with job losses due to the devastating effects of the sanctions. Regardless of the steps taken by the competent authorities, all this has triggered hyperinflation currently estimated to be running at an unbelievable 1% an hour.

4. The volume of total production has been drastically reduced, the per capita GNP dropped from US$ 2,330 in 1991 to US$ 1,750 in 1992, while, according to estimates, it will further decline by at least 30% in 1993.

Real monthly earnings average around US $ 12, while average pensions do not exceed US $ 8. The living standards of some 85% of the population in the FR of Yugoslavia have plummeted to the point of mere subsistence, and currently about 50% of the population are classified as persons in need of social welfare. The number of suicides, particularly among old people, is rapidly rising.

The living standards of children in the FR of Yugoslavia have generally deteriorated. Neither parents nor the state can provide adequate living conditions for the physical, mental, spiritual, moral and social development of children under the present circumstances.

The right of every child to social security has been put in danger, primarily due to the shortage of funds needed for maintaining the attained coverage standard. The status of disabled children, in particular, has deteriorated considerably.

We wish to bring to attention also the fact that 40,000 children of Yugoslav workers abroad, who have qualified for family allowance under relevant bilateral social security agreements entered into by Yugoslavia and certain countries where our migrant workers live, have lost that right, despite the fact that the point at issue is social benefits which should not be subject to sanctions.

Hyperinflation, as a result of sanctions, has totally devalued the right to various forms of benefits and relevant entitlement (family allowance, maternity allowance, etc.), so that those forms of child care stop short of even providing the minimum security for the most destitute families.

Pre-school institutions face the problem of many children leaving, for their parents cannot afford the cost of care in the drastically deteriorated living conditions. Only 6.5% of all children being looked after in pre-school institutions get the

adequate number of meals. At compulsory primary schools a small number of children (some 30%) get a snack which is very low in calories. Calory intake of the overall population was reduced by some 30% in the 1990 - March 1993 period. The diet of no less than 20% of the population is below subsistence level. This is why 50% of all schoolchildren are suffering from anaemia in Belgrade.

5. To get a more rounded-off picture of the severe living conditions of children in the FR of Yugoslavia today, let us mention that most of the FR of Yugoslavia with the exception of the coastal belt in Montenegro, is situated in the region marked by continental climate with harsh winter and average daily temperatures in the five winter months ranging from 0 degrees C to 10 degrees C, and often dropping even to - 20 degrees C.

Due to the shortage of energy-generating materials, hospitals, kindergartens and schools have not yet started heating even though air temperature in early November was around 0 degrees C. This will have unforeseeable consequences for the general health of the population and particularly for the vulnerable children population.

6. The outlined economic situation in the FR of Yugoslavia has also led to the country being unable to take appropriate measures to protect the environment, which has a bearing particularly on children as the most sensitive population category. Account should also be taken of the fact that this situation, as environmental pollution does not stop at state boundaries, has a negative impact not only on children and other population in the FR of Yugoslavia, but can also affect life in neighboring countries and elsewhere.

7. As a result of the accumulated problems, the status of children in the FR of Yugoslavia has also worsened to the point where it represents a gross violation of children's rights guaranteed by the Convention on the Rights of the Child.

The social climate for the children to grow, defined in the Preamble of the Convention as a prerequisite for normal development, is marked not by happiness and peace, but rather by fear, uncertainty, hostility, grief and insecurity. All this causes severe mental and psychological stress in children.

8. Sanctions are most severely and most evidently affecting the area of health care.

The state of health of population of the FR of Yugoslavia, and mothers and children in particular, is deteriorating every month regardless of the very well-developed network of health institutions and the totally free health services available to the public so far. This network comprises 191 public health homes; 23 state-of-the-art medical centers; 20 specialized health institutions and 95 hospitals and clinical hospitals employing 92,000, including 21,000 doctors, 4,478 dentists and 2,479 pharmacologists.

This was recently pointed out also by the representative of the World Health Organization, Dr Hanu Uori who estimated with pessimism that "the current health situation in the FR of Yugoslavia is tantamount to a disaster, mortality has gone up 10% due to sanctions, the number of TBC cases has tripled, children are dying of malnutrition and for lack of medicines, all of which could have been avoided".

The health care budget, which in 1990 amounted to 4.5% of the GSP (cca US 50 per capita in real terms), went up in 1993 to 13%, but dropped to US$ 30 per capita in real terms so that now it cannot provide even for the minimum primary health care of the public, particularly not for the most vulnerable groups.

The pharmaceutical industry, once able to meet most of domestic needs, cannot continue production in view of its high import dependency (over 95%), since certain members of the Sanctions Committee object to the imports of raw materials.

According to the estimates of the World Health Organization, the number of neuroses in the population has increased by some 600%. Experts predict a rise in the number of children and young people with mild and curable as well as with more serious mental disorders and say this will have unforeseeable negative consequences.

The death among infants, in Belgrade alone, has increased over the past year (1991-1992) from 14% to 16% and has continued to grow also in 1993. The number of risky pregnancies and babies born prematurely has increased. The Premature Children Institute had treated 1,000 such children by 1 November 1993. In the first six months of 1993, 173 children developed sepsis, 17 meningitis, 41 came down with salmonellosa, 412 contracted pneumonia, which represents a 50% increase on the corresponding 1992 figure.

The mortality due to infectious diseases which accounted for 7% in the 1991-1992 period, went up by 214% in 1992 and in the first half of 1993. The number of TBC cases relative to 1990 increased by 8.5%. The number of epidemics went up by 352% in hospitals.

In late 1992 and in the course of 1993, an increased number of children with rheumatic fever was registered particularly among refugee children.

Treatment of children suffering from chronic respiratory and renal diseases, diabetes and malignant diseases for months and years, has become the "nightmare" of their doctors and a tragedy for their parents, due to the shortage of expensive imported drugs. Anyone who meets those parents will realize how deep is the abyss of human despair.

The compulsory vaccination coverage of schoolchildren declined from 91.29% in 1988 to 84.2% in 1992 for Di-Te-Per; from 93.3% to 84.45% for polio; and from 91.79% to 80.64% for measles, with the continuing downward trend. The morbilli epidemic in the capital of the Republic of Montenegro, Podgorica alone afflicted 10,000 children. The main reasons, apart from the vaccine shortage, are fuel shortages, inadequate vaccine storage conditions due to obsolete equipment and impossibility of procuring spare parts.

Due to shortages of reagents and materials for clinical and microbiological laboratories, most diagnoses are established on the basis of clinical and other symptoms. The Pathology Institute registered an increase in incorrect diagnoses from 19% in 1991 to 35% in 1992.

In the first five months of 1993, 44 babies died at cardio-surgical children's wards in two Belgrade and one Novi Sad clinical hospitals, as they could not be operated on for lack of needed materials, and as children with heart disease could not be sent abroad for further treatment, and the number of operations was reduced to one or two a week. The operation waiting list at the Mother and Child Institute in Belgrade includes the names of some 300 to 400 helpless children. Two clinical hospital centers in Belgrade and in Nis alone postponed some 3,600 operations for lack of materials in 1992.

The drastic situation of sick children and their parents brought on by sanctions are painfully illustrated by the fact that parents of 7 children treated for leukemia at the Belgrade Mother and Child Institute stated in the first 5 days of November 1993 that they wished to cancel further treatment as they were unable to afford the cost which had been the exclusive concern of the society in the period preceding the sanctions.

The same Institute cannot provide effective treatment for some 400 children suffering from hemophilia and to some 30 children with phenyl-ketonuria.

The general population is threatened with possible larger-scale infections due to the lacking water purification agents. In certain areas, as Dragacevo, western Serbia for instance, a large number of people developed infections after using bacteriologically unsafe water, which can also be termed as kind of local epidemic.

9. Particularly vulnerable is the position of refugee children in the FR of Yugoslavia; while they have integrated in the educational and health care systems, they suffer numerous negative consequences due to their abruptly broken childhood and exclusion from their former milieux. With all the concern by state to provide for this fairly large category of children adequate accommodation and living conditions, the overall grave economic situation has had an even harsher impact on them, so that they have been more exposed

to complaints of a mental nature, more prone to juvenile delinquency, alcohol and drug-abuse, and even to prostitution attended by attempted suicides.

10. Sanctions have affected in many a way also the area of education, culture and information, regardless of those areas not having been directly mentioned in the relevant UN SC resolutions. A total break-off of international co-operation in those areas, according to the assessment by UNICEF, will have unforeseeable consequences for the future generations of children in the FR of Yugoslavia. Secondary and higher education that was free before the sanctions were imposed for all full-time pupils and students, now has to be paid up to 20% of the total cost by students whose parents find this difficult to bear. In addition, the conditions in which children attend school in Yugoslavia today are more than inhuman, due to the already mentioned heating problem.

Special schools for deaf, blind and retarded children, attended by some 1,000 little pupils, are not in a position to continue providing even the indispensable orthopedic aids, and, as a result, those children have joined the particularly vulnerable group. They further lack the basic teaching aids, meaning they have been deprived of even the most essential prerequisites for their education.

Sanctions are having a very negative impact as well on education of children of Yugoslav migrant workers abroad. In some countries with which bilateral agreements have been entered into - France, Germany, Switzerland - our children are banned from attending courses in their native language, as the embargo on importation of textbooks and other books from the FR of Yugoslavia in force, schools running supplementary courses are being closed down and the supply of funds required for native language courses for Serbian and Montenegrin children - cut off. Moreover, high school textbooks in the FR Germany and France abound in discriminatory references to the Serbs and Montenegrins and recent events in former Yugoslavia. The latest example is the information material "War in the Balkans" for 10th-form students in Hamburg, which accuses the Serbian and Montenegrin people for the events in the territory of the former Socialist Federal Republic of Yugoslavia, in an unprincipled, inaccurate and tendentious manner, thus fuelling discrimination prohibited by many United Nations conventions.

11. The right of a child to rest and leisure, as well as to participation in cultural life and the arts has been jeopardized on account of the drastic drop in the living standards of the public in the conditions of sanctions. The possibility of putting on foreign children's films, printing of foreign children's books, publication of foreign children's magazines, have been denied. The most drastic example is the ban placed after 80 years on the printing of Mickey Mouse cartoon strips and other Disney heroes,

whose adventures were followed by several generations in this country, but also in the countries of what is known as Western democracy that have by their measures isolated the children of the FR of Yugoslavia.

12. The above description of the situation, fragmentary though it is, reflects the extremely serious conditions facing the population of the FR of Yugoslavia, and children in particular, including refugees who share the common lot brought about by the mentioned resolutions of the world community and sanctions set out therein.

This warrants the following question: did the countries signatories of the Convention on the Rights of the Child, in passing the mentioned resolution, have in mind Art., 2., para 2 of the Convention, namely that:

"2. STATES PARTIES SHALL TAKE ALL APPROPRIATE MEASURES TO ENSURE THAT THE CHILD IS PROTECTED AGAINST ALL FORMS OF DISCRIMINATION OR PUNISHMENT ON THE BASIS OF THE STATUS, ACTIVITIES, EXPRESSED OPINIONS, OR BELIEFS OF THE CHILD'S PARENTS, LEGAL GUARDIANS, OR FAMILY MEMBERS".

Did the countries signatories of the Convention on the Rights of the Child, in passing those resolutions, also bear in mind other articles of that Convention, namely Art. 4 (guaranteeing the right of the child within the framework of international co-operation); Article 6 (the child's right to life and development); Article 8 (the right of the child to preserve his or her identity); Article 13 (the right to freedom of expression and freedom of information); Article 17 (the right to information from international sources); Article 22 (care for refugee children); Article 23 (special care for disabled children); Article 24 (the right of the child to the highest standard of health and medical care); Article 26 (the child's right to benefit from social security); Article 27 (the right to an adequate living standard); Art. 28 and 29 (the right to education); and Article 31 (the right of the child to rest and leisure).

* * *

By acceding to and ratifying the Convention on the Rights of the Child, the FR of Yugoslavia has accepted to act in conformity with all its provisions and has in all its activities, both in passing domestic legislature and in its international co-operation, complied with the principles set out therein. Having significantly expanded the rights envisaged by the Convention in its national legislation, the FR of Yugoslavia is now, through no fault of its own, no longer in a position to apply the basic provisions of the Convention due to the effect of the relevant UN Security Council resolutions ratified by most of the signatory countries of the Convention.

The authorities in the FR of Yugoslavia, including a large number of non-governmental organizations, have repeatedly informed the UN Security Council, the UN General Assembly, the World Health Organization and the World Human Rights Conference in Vienna on the status of children in the Federal Republic of Yugoslavia in the course of this year. This has been also commented on by the representatives of UNICEF, the World Health Organization and UNHCR on several occasions so far.